

and, therefore, it went through the Committee of the Whole, precisely what was wanted.

The Committee on Style and Drafting, excuse me, I speak for myself, not for the Committee on Style and Drafting, for whom no one can speak at this point. I find that this more nearly meets what I would have preferred than any other statement of it.

DELEGATE JAMES (presiding): Delegate Gallagher, do you wish to further answer the question?

DELEGATE GALLAGHER: I will just trespass a moment. May I suggest under the language which Delegate Taylor just made reference to existing in page 3 that if the State of Maryland found that it was necessary in order to preserve the continuity of state and local public offices that 2,000 people should be jailed because otherwise they would be assassins of all those who held public office, you could, under this language, simply jail these people. I do not think that is what we intended, and I do not think Style and Drafting intended that.

I would hope under these circumstances the amendment would be adopted.

DELEGATE JAMES (presiding): Delegate Taylor.

DELEGATE L. TAYLOR: I am still sort of in doubt. It seems to me you are trying to preserve continuity of government, this was the intention of the changes in style, to preserve continuity of government —

DELEGATE JAMES (presiding): Are you addressing a question to anyone, Delegate Taylor?

DELEGATE L. TAYLOR: Either Delegate Gallagher or Delegate Penniman.

Originally they were in the first proposal, this continuity of government, trying to preserve the continuity of government. Here you have something concerning continuity of government, and the last amendment by Delegate Gallagher does not say anything about preserving continuity of government. This is why I am sort of in doubt about it.

DELEGATE JAMES (presiding): Do you understand the question, Delegate Penniman? To whom is that question addressed, Delegate Taylor; to Delegate Penniman or Delegate Gallagher?

DELEGATE L. TAYLOR: Delegate Gallagher.

DELEGATE JAMES (presiding): Do you understand the question, Delegate Gallagher?

DELEGATE GALLAGHER: I think it is a question of phraseology. It is our intention in this second sentence to Amendment No. 11, wherein we say "Any suspension shall be for the period of the emergency only," to make sure that the suspension is tightly construed in a time fashion. Only provisions of this constitution concerning continuity of state and local public offices and concerning inferentially their governmental operations may be suspended. We try to indicate that we do not want to get into any other spheres of the constitution, and particularly not bill of rights spheres, so we cannot suspend personal rights and privileges.

DELEGATE JAMES (presiding): Delegate Taylor.

DELEGATE L. TAYLOR: One last question:

Supposing in line 13 you add "concerning the preservation of continuity of state and local public offices"? Would that be more accurate? Would this be the sense you are trying to obtain?

DELEGATE JAMES (presiding): Delegate Gallagher.

DELEGATE GALLAGHER: I think I could put "preservation of continuity of state and local public offices," but I do not think it adds anything. It would be by way of emphasis.

I think the sentence is clear as it is written.

DELEGATE JAMES (presiding): Delegate Scanlan.

DELEGATE SCANLAN: I have some doubt about the amendment. No one has a higher regard for liberty and personal rights than myself, but in an emergency of the sort contemplated by the provision I suppose the federal government would move, either through civil or military authorities, if the British experience is any indication, and personal rights would have to be somewhat abridged. The whole problem of curfews, the problem of looting that often arises in this type emergency, would present problems that might require some suspension of the ordinary rights of the accused, and certainly some circumscription of the ordinary freedom of movement on the part of the citizen.

As I understand Delegate Gallagher's explanation of his amendment, at least in-